

PATENT COOPERATION TREATY
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INTERNATIONAL PRELIMINARY EXAMINATION REPORT
(PCT Article 36 and Rule 70)

19
REC'D 13 JUL 1999

PCT

Applicant's or agent's file reference DAV02529.O11/CTG:mlh	FOR FURTHER ACTION	See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416).
International application No. PCT/AU 98/00502	International filing date (day/month/year) 30 June 1998	Priority Date (day/month/year) 30 June 1997
International Patent Classification (IPC) or national classification and IPC Int. Cl.⁶ B60D 1/00, 1/58, 1/60, B62D 25/22		
Applicant DAVIS Stephen James		

1.	This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.																								
2.	This REPORT consists of a total of four sheets, including this cover sheet. <input checked="" type="checkbox"/> This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT). These annexes consist of a total of six sheet(s).																								
3.	This report contains indications relating to the following items: <table style="width: 100%; border: none;"><tr><td style="width: 5%;">I</td><td style="width: 5%;"><input checked="" type="checkbox"/></td><td>Basis of the report</td></tr><tr><td>II</td><td><input type="checkbox"/></td><td>Priority</td></tr><tr><td>III</td><td><input type="checkbox"/></td><td>Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</td></tr><tr><td>IV</td><td><input type="checkbox"/></td><td>Lack of unity of invention</td></tr><tr><td>V</td><td><input checked="" type="checkbox"/></td><td>Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</td></tr><tr><td>VI</td><td><input checked="" type="checkbox"/></td><td>Certain documents cited</td></tr><tr><td>VII</td><td><input type="checkbox"/></td><td>Certain defects in the international application</td></tr><tr><td>VIII</td><td><input type="checkbox"/></td><td>Certain observations on the international application</td></tr></table>	I	<input checked="" type="checkbox"/>	Basis of the report	II	<input type="checkbox"/>	Priority	III	<input type="checkbox"/>	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability	IV	<input type="checkbox"/>	Lack of unity of invention	V	<input checked="" type="checkbox"/>	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement	VI	<input checked="" type="checkbox"/>	Certain documents cited	VII	<input type="checkbox"/>	Certain defects in the international application	VIII	<input type="checkbox"/>	Certain observations on the international application
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VIII	<input type="checkbox"/>	Certain observations on the international application																							

Date of submission of the demand 07 January 1999	Date of completion of the report 02 July 1999
Name and mailing address of the IPEA/AU AUSTRALIAN PATENT OFFICE PO BOX 200 WODEN ACT 2606 AUSTRALIA Facsimile No. (02) 6285 3929	Authorized Officer ASANKA PERERA Telephone No. (02) 6283 2373

I. Basis of the report**1. With regard to the elements of the international application:***

- ☐ the international application as originally filed.
- ☒ the description, pages 1 - 8, as originally filed,
pages , filed with the demand,
pages , filed with the letter of .
- ☒ the claims, pages , as originally filed,
pages , as amended (together with any statement) under Article 19,
pages , filed with the demand,
pages 9 - 14, filed with the letter of 11 June 1994.
- ☒ the drawings, pages 1 / 4 - 4 / 4., as originally filed,
pages , filed with the demand,
pages , filed with the letter of .
- ☐ the sequence listing part of the description:
pages , as originally filed
pages , filed with the demand
pages , filed with the letter of

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, was on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages
- ☐ the claims, Nos.
- ☐ the drawings, sheets/fig

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**1. Statement**

Novelty (N)	Claims 1 - 33	YES
	Claims	NO
Inventive step (IS)	Claims 1 - 33	YES
	Claims	NO
Industrial applicability (IA)	Claims 1 - 33	YES
	Claims	NO

2. Citations and explanations (Rule 70.7)

The closest prior art was found in the following documents:

- (a) GB 2248814 A
- (b) US 3858905 A
- (c) GB 2124982 A

None of the above documents teaches or fairly discloses a step apparatus as defined by the independent claims 1, 6, 14, or 29.

Therefore the subject matter of claims 1 -33 is new and meets the requirements of Article 33(2) PCT with regard to the requirement for novelty.

Similarly the claimed invention is not obvious in the light of any of these patent documents nor disclosed in any obvious combination, nor would the claimed invention be obvious to a person skilled in the art in the light of common general knowledge by itself or in combination with any of these patent documents.

Therefore the subject matter of claims 1 - 13 is not obvious and meets the requirements of Article 33(3) PCT with regard to the requirement for inventive step.

With regard to the document(s) listed in Box VI under "certain documents cited", these are documents published prior to the international filing date but later than the priority date claimed but which would otherwise be considered to be of particular relevance.

Under the PCT, novelty is considered only in respect of documents published before the priority date. The relevance of a document published after the priority date is dependent upon national law. Such documents are excluded from consideration in preliminary examination, but are noted for information.

VI. Certain documents cited				
1. Certain published documents (Rule 70.10)				
	Application No. Patent No.	Publication date (day/month/year)	Filing date (day/month/year)	Priority date (valid claim) (day/month/year)
P,X	US 5738362 A	14 April 1998	02 July 1996	02 July 1996
<p>This document discloses each and every one of the features of claims 1, 3 and 4</p>				
2. Non-written disclosures (Rule 70.9)				
	Kind of non-written disclosure	Date of non-written disclosure (day/month/year)	Date of written disclosure referring to non-written disclosure (day/month/year)	

9 416 Rec'd PCT/PTO 30 DEC 1999

CLAIMS

Sub 1.

Step apparatus including:

- a mounting portion adapted to engage a vehicle in the region of the towing
5 hitch assembly and be secured to the vehicle by the hitch assembly or a portion
thereof in lieu of a portion of the hitch assembly; and
a step portion supported on said mounting portion.

2. Step apparatus according to Claim 1, wherein said mounting portion
10 comprises a body member having a threaded stud adapted to engage the hitch ball
aperture in a conventional gooseneck.

Sub 2.

3. Step apparatus according to Claim 1, wherein said mounting portion includes
a body member adapted to engage the tubular socket of a Hayman Reece towing
15 hitch.

4. Step apparatus according to Claim 1, wherein said step portion is mounted to
the mounting portion in a manner permitting the step to be moved from an in-use
position to a stowed position.

20

5. Step apparatus according to Claim 4, wherein said step portion is hinged to
the mounting portion whereby the step portion may be moved from an in use position
where the step is disposed above the vehicle hitch to a stowed position whereby the
hitch may be undone.

25

6. Step apparatus including:

a body member having a recess adapted to pass over the hitch ball of a
towing hitch;

a step portion supported on said body member;

5 support means whereby the body member bears in use on towing hitch apart
from said hitch ball; and

interengagement means adapted to secure said body member on said hitch
ball.

10 7. Step apparatus according to Claim 6, wherein said towing hitch comprises a
gooseneck type and wherein said support means comprises a lower end of said body
member adapted to bear on said gooseneck.

15 8. Step apparatus according to any one of Claims 6 and 7, wherein said
interengagement means comprises a yoke member adapted to engage the hitch ball
stem via a slot provided in said body member.

9. Step apparatus according to any one of Claims 6 and 7, wherein said
interengagement means comprises a pair of spaced extensions of said body member
20 extending below said towing hitch and adapted to receive a locking pin passing below
said towing hitch.

10. Step apparatus according to any one of claims 6 to 9, wherein said
interengagement means is selected whereby said body member may be installed and
25 removed from said towing hitch without tools.

11. Step apparatus according to Claim 6, wherein said step portion renders the hitch assembly inoperable.

5 12. Step apparatus according to Claim 11, wherein in use the step portion prevents attachment or detachment of a hitched towable vehicle.

10 13. Step apparatus according to Claim 6, wherein said step portion is mounted in a manner permitting the step to be moved from an in-use position to a stowed position.

14. Step apparatus including:
a mounting portion adapted to be secured to a vehicle by bolting up between the towing hitch and a bolt-up type hitch mounting; and
a step portion supported on said mounting portion.

15 15. Step apparatus according to Claim 14, wherein said mounting portion transmits step loads in use to the designated load bearing portion of the hitch mounting.

20 16. Step apparatus according to Claim 14, wherein said mounting means is secured to the vehicle or hitch assembly whereby in use the step portion renders the hitch assembly inoperable.

17. Step apparatus according to Claim 16, wherein said step portion is selectively secured to said mounting portion, whereby in use the step portion prevents attachment or detachment of a hitched towable vehicle.

5 18. Step apparatus according to Claim 14, wherein said step portion is mounted to the mounting portion in a manner permitting the step to be moved from an in-use position to a stowed position.

10 19. Step apparatus according to Claim 15, wherein said step portion is hinged to the mounting portion whereby the step portion may be moved from an in use position where the step is disposed above the vehicle hitch to a stowed position whereby the hitch may be undone.

15 20. Step apparatus according to Claim 14, wherein said towing hitch is selected from a pintle hook hitch and a ball hitch.

21. Step apparatus according to any one of Claims 14 to 20, wherein said step portion is located in use above the towing hitch.

20 22. Step apparatus according to Claim 21, wherein said step portion is formed integrally with said mounting portion, and wherein said step portion is in use sufficiently high above the towing hitch to permit use of the towing hitch.

25 23. Step apparatus according to Claim 21, wherein said step portion is removable from said mounting portion.

24. Step apparatus according to Claim 21, wherein said step portion and mounting portion form an assembly wherein said step portion may be moved from a deployed position over the towing hitch to a stowed position forward of the towing hitch.

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25. Step apparatus according to Claim 24, wherein said step portion is securable in one or more of its deployed or stowed position.

26. Step apparatus according to Claim 25, wherein said step portion is securable over said towing hitch whereby the hitch cannot be engaged with a trailer or the like.

27. Step apparatus according to Claim 26, wherein said step portion is securable over said towing hitch, and wherein a trailer or the like hitched therebeneath cannot be decoupled.

15

28. Step apparatus according to any one of Claims 23 to 27, wherein said step portion is hinged to said mounting portion in use.

29. Step apparatus including:

a mounting portion adapted to be secured to a vehicle by the gooseneck for a ball hitch and wherein said mounting portion is secured to the gooseneck by the hitching ball; and

a step portion supported on said mounting portion.

30. Step apparatus according to Claim 29, wherein said step portion is located in
use above the towing hitch.

D2
cont

31. Step apparatus according to Claim 30, wherein said step portion is selectively
secured to said mounting portion, whereby in use the step portion prevents
attachment or detachment of a hitched towable vehicle.

32. Step apparatus according to Claim 30, wherein said step portion is mounted to
the mounting portion in a manner permitting the step to be moved from an in-use
position to a stowed position.

Sub
D3

33. Step apparatus according to any one of the preceding claims, wherein said
step portion has rounded corners to protect persons from impact injuries from said
towing hitch.

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Adda₃

Add
B1

Add
D5

00320 15691160

Replaced by
Article 39

AMENDED CLAIMS

[received by the International Bureau on 23 September 1998 (23.09.98);
new claims 11-29 added; original claims unchanged (5 pages)]

1. Step apparatus including:

a mounting portion adapted to engage a vehicle in the region of the towing

- 5 hitch; and

a step portion supported on said mounting portion.

2. Step apparatus according to Claim 1, wherein said mounting portion is
secured to the vehicle by the hitch assembly or a portion thereof.

10

3. Step apparatus according to Claim 2, wherein said mounting means is
secured to the vehicle in lieu of a portion of the hitch assembly.

4. Step apparatus according to Claim 3, wherein said mounting portion

- 15 comprises a body member having a threaded stud adapted to engage the hitch ball
aperture in a conventional gooseneck.

5. Step apparatus according to Claim 2, wherein said mounting means includes
a body member adapted to engage the hitch ball of the towing hitch.

20

6. Step apparatus according to Claim 3, wherein said mounting means includes
a body member adapted to engage the tubular socket of a Hayman Reece towing
hitch.

7. Step apparatus according to Claim 2, wherein said mounting means is secured to the vehicle or hitch assembly whereby the step portion renders the hitch assembly inoperable.

5 8. Step apparatus according to Claim 7, wherein said step portion is selectively secured to said mounting portion, whereby in use the step portion prevents attachment or detachment of a hitched towable vehicle.

9. Step apparatus according to Claim 2, wherein said step portion is mounted to
10 the mounting portion in a manner permitting the step to be moved from an in-use position to a stowed position.

10. Step apparatus according to Claim 9, wherein said step portion is hinged to the mounting portion whereby the step portion may be moved from an in use position
15 where the step is disposed above the vehicle hitch to a stowed position whereby the hitch may be undone.

11. Step apparatus including:

a body member having a recess adapted to pass over the hitch ball of a
20 towing hitch;
a step portion supported on said body member;
support means whereby the body member bears in use on towing hitch apart from said hitch ball; and
interengagement means adapted to secure said body member on said hitch
25 ball.

12. Step apparatus according to Claim 11, wherein said towing hitch comprises a gooseneck type and wherein said support means comprises a lower end of said body member adapted to bear on said gooseneck.

5

13. Step apparatus according to any one of Claims 11 and 12, wherein said interengagement means comprises a yoke member adapted to engage the hitch ball stem via a slot provided in said body member.

10 14. Step apparatus according to any one of Claims 11 and 12, wherein said interengagement means comprises a pair of spaced extensions of said body member extending below said towing hitch and adapted to receive a locking pin passing below said towing hitch.

15 15. Step apparatus according to any one of claims 11 to 14, wherein said interengagement means is selected whereby said body member may be installed and removed from said towing hitch without tools.

16. Step apparatus including:

20 a mounting portion adapted to be secured to a vehicle by the hitch mounting of a towing hitch thereof; and

a step portion supported on said mounting portion.

17. Step apparatus according to Claim 16, wherein said mounting portion transmits step loads in use to the designated load bearing portion of the hitch mounting.

5 18. Step apparatus according to Claim 17, wherein said hitch mounting is a bolted up hitch mounting and wherein said mounting portion is bolted up between the towing hitch and the hitch mounting.

19. Step apparatus according to Claim 18, wherein said towing hitch
10 is selected from a pintle hook hitch and a ball hitch.

20. Step apparatus according to Claim 17, wherein said hitch mounting is a gooseneck for a ball hitch and wherein said mounting portion is secured to the gooseneck by the hitching ball.

15

21. Step apparatus according to any one of Claims 16 to 20, wherein said step portion is located in use above the towing hitch.

22. Step apparatus according to Claim 21, wherein said step portion is formed
20 integrally with said mounting portion, and wherein said step portion is in use sufficiently high above the towing hitch to permit use of the towing hitch.

23. Step apparatus according to Claim 21, wherein said step portion is removable from said mounting portion.

25

24. Step apparatus according to Claim 21, wherein said step portion and mounting portion form an assembly wherein said step portion may be moved from a deployed position over the towing hitch to a stowed position forward of the towing hitch.

5 25. Step apparatus according to Claim 24, wherein said step portion is securable in one or more of its deployed or stowed position..

26. Step apparatus according to Claim 25, wherein said step portion is securable over said towing hitch whereby the hitch cannot be engaged with a trailer or the like.

10

27. Step apparatus according to Claim 26, wherein said step portion is securable over said towing hitch, and wherein a trailer or the like hitched therebeneath cannot be decoupled.

15 28. Step apparatus according to any one of Claims 23 to 27, wherein said step portion is hinged to said mounting portion in use.

29. Step apparatus according to any one of the preceding claims, wherein said step portion has rounded corners to protect persons from impact injuries from said
20 towing hitch.

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EE	Estonia						

INTERNATIONAL SEARCH REPORT

International Application No.
PCT/AU 98/00502

A. CLASSIFICATION OF SUBJECT MATTER					
Int Cl ⁶ : B60D 1/00, 1/58, 1/60, B62D 25/22					
According to International Patent Classification (IPC) or to both national classification and IPC					
B. FIELDS SEARCHED					
Minimum documentation searched (classification system followed by classification symbols) IPC: B60D 1/00, 1/58, 1/60, B62D 25/22, B60R 3/-					
Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched AU: IPC as above					
Electronic data base consulted during the international search (name of data base and, where practicable, search terms used) WPAT: with keywords					
C. DOCUMENTS CONSIDERED TO BE RELEVANT					
Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.			
X	GB 2248814 A (MITCHELL) 22 April 1992 See the whole document	1, 2, 5-8			
X	US 3858905 A (PEEBLES) 7 January 1975 column 2 line 7 - column 3, line-18, Figures	1-3, 5-8			
X	GB 2124982 A (H. ROBERTS & BROOKS (SYSTON) LIMITED) 29 February 1984 page 1, line 53 - page 2, line 15, claims, Figures	1, 2, 7-10			
X	FR 2668425 A1 (BRUNIER) 30 April 1992 See the whole document	1, 2, 9-10			
<input checked="" type="checkbox"/> Further documents are listed in the continuation of Box C <input type="checkbox"/> See patent family annex					
<p>* Special categories of cited documents:</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 33%; vertical-align: top;"> <p>"A" document defining the general state of the art which is not considered to be of particular relevance</p> <p>"E" earlier document but published on or after the international filing date</p> <p>"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)</p> <p>"O" document referring to an oral disclosure, use, exhibition or other means</p> <p>"P" document published prior to the international filing date but later than the priority date claimed</p> </td> <td style="width: 33%; vertical-align: top;"> <p>"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention</p> <p>"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone</p> <p>"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art</p> <p>"&" document member of the same patent family</p> </td> <td style="width: 33%;"></td> </tr> </table>			<p>"A" document defining the general state of the art which is not considered to be of particular relevance</p> <p>"E" earlier document but published on or after the international filing date</p> <p>"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)</p> <p>"O" document referring to an oral disclosure, use, exhibition or other means</p> <p>"P" document published prior to the international filing date but later than the priority date claimed</p>	<p>"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention</p> <p>"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone</p> <p>"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art</p> <p>"&" document member of the same patent family</p>	
<p>"A" document defining the general state of the art which is not considered to be of particular relevance</p> <p>"E" earlier document but published on or after the international filing date</p> <p>"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)</p> <p>"O" document referring to an oral disclosure, use, exhibition or other means</p> <p>"P" document published prior to the international filing date but later than the priority date claimed</p>	<p>"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention</p> <p>"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone</p> <p>"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art</p> <p>"&" document member of the same patent family</p>				
Date of the actual completion of the international search 14 July 1998		Date of mailing of the international search report 22 JUL 1998			
Name and mailing address of the ISA/AU AUSTRALIAN PATENT OFFICE PO BOX 200 WODEN ACT 2606 AUSTRALIA Facsimile No.: (02) 6285 3929		Authorized officer ASANKA PERERA Telephone No.: (02) 6283 2373			

INTERNATIONAL SEARCH REPORT

International Application No.
PCT/AU 98/00502

C (Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT		
Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	GB 2242659 A (MITCHELL) 9 October 1991 See the whole document	1-3
X	US 4194754 A (HIGHTOWER) 25 March 1980 column 2 line 21 - column 3 line 27, Figures	1
X	US 3394947 A (STUBE) 30 July 1968 column 1, line 66 - column 2, line 54, Figures	1
P, X	US 5738362 A (LUDWICK) 14 April 1998 See the whole document	1-4, 7-9

PATENT COOPERATION TREATY

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NOTIFICATION OF ELECTION

(PCT Rule 61.2)

From the INTERNATIONAL BUREAU

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in its capacity as elected Office

Date of mailing (day/month/year) 03 February 1999 (03.02.99)	
International application No. PCT/AU98/00502	Applicant's or agent's file reference DAV02529.011/CTG
International filing date (day/month/year) 30 June 1998 (30.06.98)	Priority date (day/month/year) 30 June 1997 (30.06.97)
Applicant DAVIS, Stephen, James	

1. The designated Office is hereby notified of its election made:

☒ in the demand filed with the International Preliminary Examining Authority on:
07 January 1999 (07.01.99)

☐ in a notice effecting later election filed with the International Bureau on:

2. The election ☒ was

☐ was not

made before the expiration of 19 months from the priority date or, where Rule 32 applies, within the time limit under Rule 32.2(b).

The International Bureau of WIPO
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Authorized officer

R. E. Stoffel

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